

**STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES**

**IN THE MATTER OF THE APPLICATION)
OF GLIDDEN POINT OYSTER COMPANY)
FOR RENEWAL OF AN AQUACULTURE)
LEASE LOCATED IN THE DAMARISCOTTA)
RIVER, NEWCASTLE, LINCOLN COUNTY,)
MAINE)**

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
DECISION**

On August 20, 2002, Glidden Point Oyster Company applied for the renewal of an aquaculture lease issued on March 29, 1993. The Company requested a ten-year renewal, to March 28, 2013, of a 2.29-acre suspended culture lease located in the Damariscotta River, Newcastle, Lincoln County, Maine.

Notice of the application for lease renewal was published in the February 2003 issue of Commercial Fisheries News and the January 16, 2003 and January 30, 2003 issues of the Lincoln County News. Members of the public, riparians and interested persons were given to February 15, 2003 to request a hearing on the application for lease renewal. No requests for a hearing on this application were received by the Department during the comment period.

Applications for aquaculture lease renewals are governed by 12 M.R.S.A. §6072(12) and Chapter 2.45 of the Department's rules, which provide that an aquaculture lease may be renewed unless the lessee has not complied with the original lease agreement during its term, substantially no aquaculture or research has been conducted, the Commissioner finds that it is not in the best interest of the state to renew the lease taking into consideration, among other things, the potential for conflict with other new or existing uses of the area which the Commissioner determines to be a higher use of the area from the perspective of the public interest, or that the renewal will cause the lessee to be a tenant of any kind in leases covering an aggregate of more than 250 acres.

Glidden Point Oyster Company has complied with the lease agreement during its ten-year term. It has conducted shellfish aquaculture on the site. There are no known conflicts with

other new or existing uses of the area. Additionally, the renewal of this lease will not cause Glidden Point Oyster Company to lease more than 250 acres.

Finally, in order for the Department to locate the lease site using modern location finding technology, i.e., Differential Global Positioning Systems, the lease description has been converted to Datum NAD83 and Degrees True. While the original site location shall remain the same, the following lease description shall replace the description set forth in the original lease document: STARTING at the point Latitude 44°01'44.43"N, Longitude 69°32'22.05"W (datum NAD83/WGS84), and point of beginning; thence 135° True, a distance of 100 feet to the northeast corner; thence 212° True, a distance of 725 feet to the southeast corner; thence 312° True, a distance of 200 feet to the southeast corner; thence 40° True, a distance of 720 feet to the northeast corner and point of beginning. This new description sets forth the same boundaries of the original lease site, but is more precise and can be easily located through the use of modern technology.

Decision

The Commissioner of Marine Resources grants the application of Glidden Point Oyster Company for renewal of the 2.29-acre aquaculture lease located in the Damariscotta River, Newcastle, Maine, for a period of ten years, to March 28, 2013. In the renewal of this lease, Glidden Point Oyster Company is subject to the same terms, conditions, and obligations as set forth in the original lease.

Dated: _____

George D. Lapointe (Commissioner)
Department of Marine Resources